

CITY COUNCIL REPORT



MEETING DATE: June 21, 2005

ITEM NO.

6

GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Dirty Dogg Saloon - 4-UP-2004#2

REQUEST

Request to renew the 2004 approved conditional use permit and modify the existing stipulations for a Bar in an existing building located at 10409 N Scottsdale Road with Highway Commercial District (C-3) zoning.

Key Items for Consideration:

- Proposal to allow continued operation of a bar.
- No resident or police concerns generated by the bar use over the past year.
- An updated Security Plan has been approved by Police Department.
- Adequate parking is available for this use.
- Residential uses are not in close proximity to this site, the closest residence is approximately 1,000 feet from the site.
- The Planning Commission recommends approval 6-0, on their consent agenda.

Related Policies, References:

4-UP-2004#2

OWNER

Fire House Management
480-368-8095

APPLICANT CONTACT

Jack Estes
Fire House Management
480-227-3486

LOCATION

10409 N Scottsdale Rd

BACKGROUND

Site Use History.

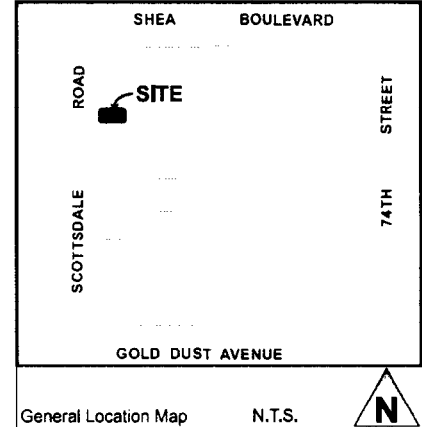
In the 1960's, this property was built for the Mag's Ham Bun restaurant/bar and operated with the same name until 2001. In 2001, it changed to the El Camino Café restaurant. The bar Conditional Use Permit for the Dirty Dog was approved in 2004 subject to a 1-year review.

Zoning.

The site is zoned C-3 (Highway Commercial District), which allows bars with a conditional use permit. This zoning district also allows a variety of retail/commercial uses.

Context.

This site is located within the Windmill Plaza subdivision, which is located on



the southeast corner of Scottsdale Road and Shea Boulevard. The surrounding property is zoned C-3 (Highway Commercial District) and P-2 (Passenger Automobile Parking).

Within the Windmill Plaza are several bars and restaurants. The distance to the nearest school, Chaparral High School, is 1,716 feet west. The nearest worship facility is the Chabad of Scottsdale which is in the Windmill Plaza, approximately 840 feet south of the proposed bar site.

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

The applicant is requesting that the conditional use permit be approved without timing limitations, thus being permanent. No changes are proposed to the previously approved operational plan.

No modifications or additions are proposed to the building. The bar consists of approximately 2000 square feet of useable area. The bar hours are from 11 a.m. to 2 a.m. Mondays through Sundays.

CD music is provided through speakers throughout the inside of the building. The applicant is not proposing live entertainment.

Security is provided from 9:00 p.m. until closing, by uniformed staff.

IMPACT ANALYSIS**Transportation.***Traffic.*

The site is located within a commercial center that at the intersection of two major arterials, Scottsdale Road and Shea Boulevard. The traffic generated by this use is primarily generated during off-peak hours for the adjacent street system. Because the majority of traffic is generated during periods when the adjacent streets have less traffic, the surrounding street system has adequate capacity to handle the traffic generated by the proposed use.

The commercial center has three driveways on Scottsdale Road and two driveways on Shea Boulevard. The easternmost driveway on Shea Boulevard is signalized, providing a controlled means to enter and exit the site.

Parking.

The parking for this use is provided within the parking lot located east of the site. That parking lot is shared with the remainder of the Windmill Plaza center, and parking is not assigned to any one user. Therefore, the availability of parking spaces to this site and other sites within the Windmill Plaza is dependent upon the hours of operation and related demand of the users. The restaurant and bar uses located within the Windmill Plaza are distributed throughout with some concentration at the north. Because the Buzz bar is located in the middle of the Plaza and its entrance faces north, a greater demand for parking occurs on the north half of the Plaza. The Dirty Dogg bar parking has some influence by this situation. However, the parking analysis demonstrates that there are an adequate number of parking spaces available in the Plaza for all of its uses. Parking is in compliance with the zoning ordinance.

Police/Code Enforcement.

The police and fire department do not object to this application. The police department has reviewed and approved the updated Security and Maintenance Plan. In 2004 there was one call for service to this site, involving a male/female dispute. No other calls for service, including Code Enforcement calls, are on record.

Land Use.

This site is located in close proximity to a major intersection of Shea Boulevard and Scottsdale Road. These streets are major arterials that support high levels of traffic and greater intensity and variety of uses at their intersection.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - ***This use does not generate smoke, odor, or dust. No additional outdoor lighting is proposed. The application demonstrates that any noise generated will be contained within the building. Any vibration that might occur would be from speakers located within the building.***
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - ***This bar encompasses approximately 2000 square feet of an existing building.***
 3. There are no other factors associated with this project that will be materially detrimental to the public.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - ***The general character of the area is commercial, with residential being more than 1000 feet and the nearest worship facility 840 feet from this proposed bar site.***
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

Additional conditions for bars:

- a. The use shall not disrupt existing balance of daytime and nighttime uses.
 - i. ***This use is proposed for an existing bar that has not demonstrated any disruptions to the daytime and nighttime uses.***
- b. The use shall not disrupt pedestrian-oriented daytime activities.
 - i. ***This use is proposed to operate during the daytime hours. None of the operations encroach into pedestrian walkways or areas.***

3. If the site is located within the downtown overlay district then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - b. The required parking for the use shall be within 600 feet of the property and shall not be separated from the property by a major or minor arterial street.
 - ***This site is not located in the downtown overlay district.***
4. If the use is located within 500 feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - b. The use shall provide methods of buffering residential uses.
 - ***This site is approximately 1000 feet from residential uses and districts.***
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
 - ***The applicant has submitted a management and security plan that has been approved and will be maintained and enforced.***
6. The applicant shall provide, with the application for a conditional use permit, a written exterior refuse control plan which must be approved by the planning and development department staff as complying with the written guidelines of the department.
 - ***The exterior refuse control plan has been reviewed and approved.***
7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
 - ***The noise for this use is contained within the building; there are doors at the patios. No new lighting fixtures are proposed.***
8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
 - ***The amount of parking provided meets the Zoning Ordinance.***

Community Involvement.

The applicant sent notices to surrounding property owners within 750 feet of this site. The Paradise Valley Plaza Owners Association submitted a letter of support. One phone call of concern was received and that caller would prefer the bar relocated out of this site. No other correspondence has been received regarding this request.

Community Impact.

Approval of this request would result in this bar use permit without a time limitation. The impact is tempered by the fact that this property previously was a restaurant/bar.

**OTHER BOARDS AND
COMMISSIONS**

Planning Commission.

The Planning Commission heard this case on May 11, 2005 on the consent agenda and recommended approval, 6-0.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.

**RESPONSIBLE
DEPT(S)**

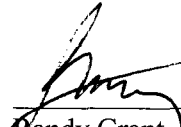
Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

Kira Wauwie
Project Coordination Manager
480-312-7061
E-mail: kwauwie@ScottsdaleAZ.gov

Randy Grant
Chief Planning Officer
480-312-7995
E-mail: rgrant@ScottsdaleAZ.gov

APPROVED BY



Randy Grant
Chief Planning Officer

6/6/05

Date



Ed Gawf
Deputy City Manager

6/6/05

Date

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Citizen Involvement
7. City Notification Map
8. Site Plan
9. Approved Security Plan
10. May 11, 2005 Planning Commission Minutes



Project Narrative

This document will be uploaded to a Case Fact Sheet on the City's web site.

Date: 3/1/05
Coordinator: KINA WADWIDE
Project Name: DIRTY DOGG SALOON

Project No.: 183 - PA - 2005
Case No.: _____ - _____ - _____

Project Location: 10409 N. SCOTTSDALE RD.

Property Details:

☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Industrial
Current Zoning: C-3 Proposed Zoning: C-3
Number of Buildings: 1 Parcel Size: 2600 Sq ft.
Gross Floor Area/Total Units: 2600 Sq ft. Floor Area Ratio/Density: 2220 Sq ft
Parking Required: 35 Parking Provided: 35
Setbacks: N - 0 S - 0 E - 0 W - 6'

Description of Request:

DIRTY DOGG SALOON HAS BEEN IN OPERATION AS OF MAY 21,
2004 UNDER CURRENT USE PERMIT # 4-UP-2004
APPLICANT IS REQUESTING PERMANENT USE PERMIT WITH
NO ADDD STIPULATIONS. DIRTY DOGG HAS OPERATED WITH NO
VIOLATIONS OVER PAST YEAR AND IS GOOD STANDING WITH
OTHER BUSINESS NEIGHBORS.

ATTACHMENT #1

Planning and Development Services Department

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

Attachment A
DIRTY DOGG SALOON
PROJECT NARRATIVE

Location and History:

10409 N. Scottsdale Rd.
Scottsdale, AZ 85253

This location has been a bar/restaurant since originally built in 1967 as Mag's Ham Bun. The Cronk family has owned and does still own the property under Mag's Ham Bun, Inc. The Cronks operated Mag's Ham Bun with a Series #6 liquor license from 1985 until they leased the property to Sam Bruce, L.L.C, in 2002. Sam Bruce, L.L.C, changed the license from a Series #6 to a Series #12 and operated as such until June 2003. Fire House Management, L.L.C, has been operating the current use as the Dirty Dogg Saloon as of May 21, 2004 under Use Permit #4-up-2004. The current applicant is asking for an extension of the current use permit with no additional stipulations to continue operations. There are no plans to modify the current building. Since the location has operated as bar for over 30 years there should be no significant impacts on the area parking or otherwise. The total gross square footage is 2600 square feet of which 2220 square feet is available for retail use. The building is not being altered in any way. The location will operate as a bar/restaurant with hours of operation Monday – Sunday from 11:00am to 2:00am.

Entertainment

The entertainment provided will be classic rock music usually provided by a preprogrammed CD player/computer. From time to time the applicant will wish to utilize special events and or temporary extension of premises permits. The applicant understands that for extensions or outdoor special events separate and special event applications must be submitted and approved by the City of Scottsdale.

Music amplification is provided by 6 Mach M-821 speakers, and 3 QSC PLX amplifiers. There are also 7 televisions for patron viewing.

Security

Door staff personal will be on duty nightly from 9:00pm to closing. Security will be identified by uniforms designating them as members of the Staff. All members of staff are required to under go Liquor control training with Arizona Liquor Industry Consultants before being allowed to work. This training educates staff and members of management on the liquor laws of the State of Arizona and will enable them to make better-informed decisions when serving patrons alcohol. The amount of Security will be decided on an as needed basis as volume dictates. Staff will require Identification verifying age to be over 21 years of age before allowing access to establishment. Staff will be required to monitor parking area during business hours and one hour after closing.

Management

Members of Management have completed Liquor Certification courses given by Arizona Liquor Industry Consultants and are registered with the Arizona Department of Liquor License and Control. Members of Management have been involved with Management of Liquor licensed establishments in the past and are in good standing with the Arizona Department of Liquor.

Refuse

Staff will be required to police the parking lot and adjacent areas to the establishment before, during, and after closing, to pick up trash and debris left in the area by patrons. Management will work with neighbors to ensure that the establishment is not causing any undue burden to their businesses. The facility is equipped with its own dumpster for trash removal. The current trash pickup schedule is 3 times per week in the A.M. If this becomes insufficient Management will request that additional pickup times be made. The dumpster is located within 40 feet of the establishment. The parking lot is maintained by the Paradise Valley Property Owners Association and is swept on a weekly basis.

Please see the following attachments for refuse disposal location:

- Attachment C Site Plan 1

- East View 12

- Refuse Containment 16

Parking

Please see attached parking analysis Attachment C completed in July 2002.

Applicants allotted parking is 35 spaces, which is what is required for the available retail square footage.

Since the opening of this establishment in 2004 two other restaurant bars have closed, this should have a minimal impact on the parking in the area.

At peak times there will be up to 9 staff members that will require parking and up to approximately 120 patrons.

Please see additional attachments for parking:

- Attachment C Site Plan 1

- East Elevation 1

- Rear South East View 10

- East View 11

- East View 12

- Rear North View 1

Lighting

There are no plans of changing the current lighting that exists. The establishment currently has eight exterior lights on the West Side of the building facing Scottsdale Rd. and seven exterior lights on the East Side facing the parking lot. The parking lot provides additional lighting and is maintained by the Paradise Valley Property Owners Association.

Please see the following Attachments:

Signage 2 East Elevation

Signage 3 South West Elevation

Signage

The current signage on the building will be utilized.

Please see the following Attachments:

Signage Attachments 1-5

Traffic related information

There are no proposed changes for current traffic ingress or egress into the parking lot.

Please see attached for projected Trip Generation Comparison Attachment D.

Noise Impact

There is no residential within 1000 ft. of the premises so there should be no adverse noise effect on the neighboring area. The doors of the establishment will remain in a closed position except when allowing patrons to enter and exit. The west side of establishment faces Scottsdale Road. The establishment should not negatively effect the high volume of traffic created by Scottsdale and Shea Blvd. There should be no significant noise impact from the establishment.

Neighborhood Involvement

A letter has been sent to property owners within a minimum of 300 feet of the applicant location, as is required by staff.

Please see the following Attachments:

Attachment F

Attachment G

Attachments H 1-4

EMERGENCY CONTACTS:

Jack Estes
15600 N. FLW Blvd. #1164
Scottsdale, AZ 85260
480-227-3486

Stacy Frieberg
1608 W. Curry Dr.
Chandler, AZ 85224
602-820-6547



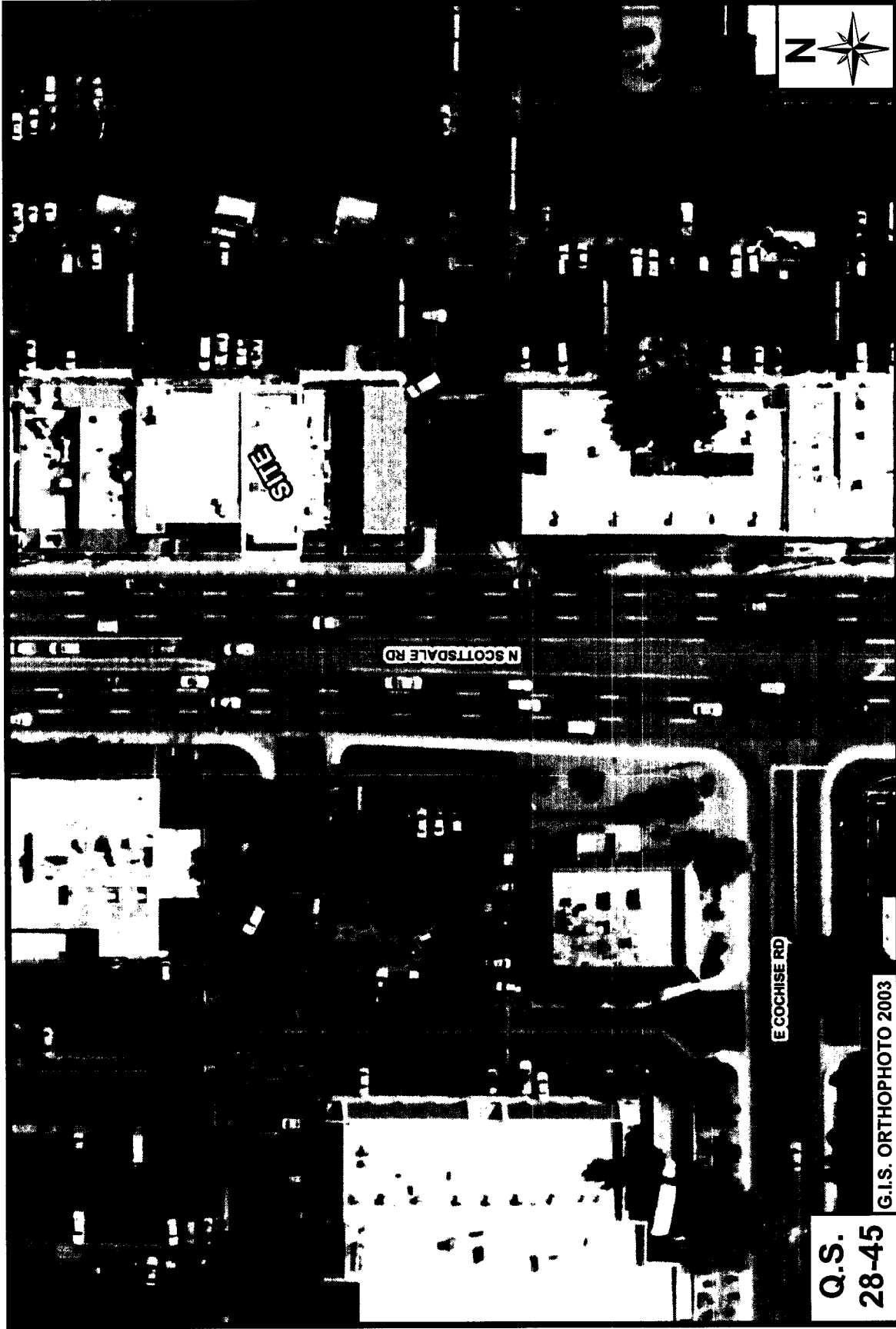
Q.S.
28-45

G.I.S. ORTHOPHOTO 2003

Dirty Dogg Saloon

4-UP-2004#2

ATTACHMENT #2



Q.S.
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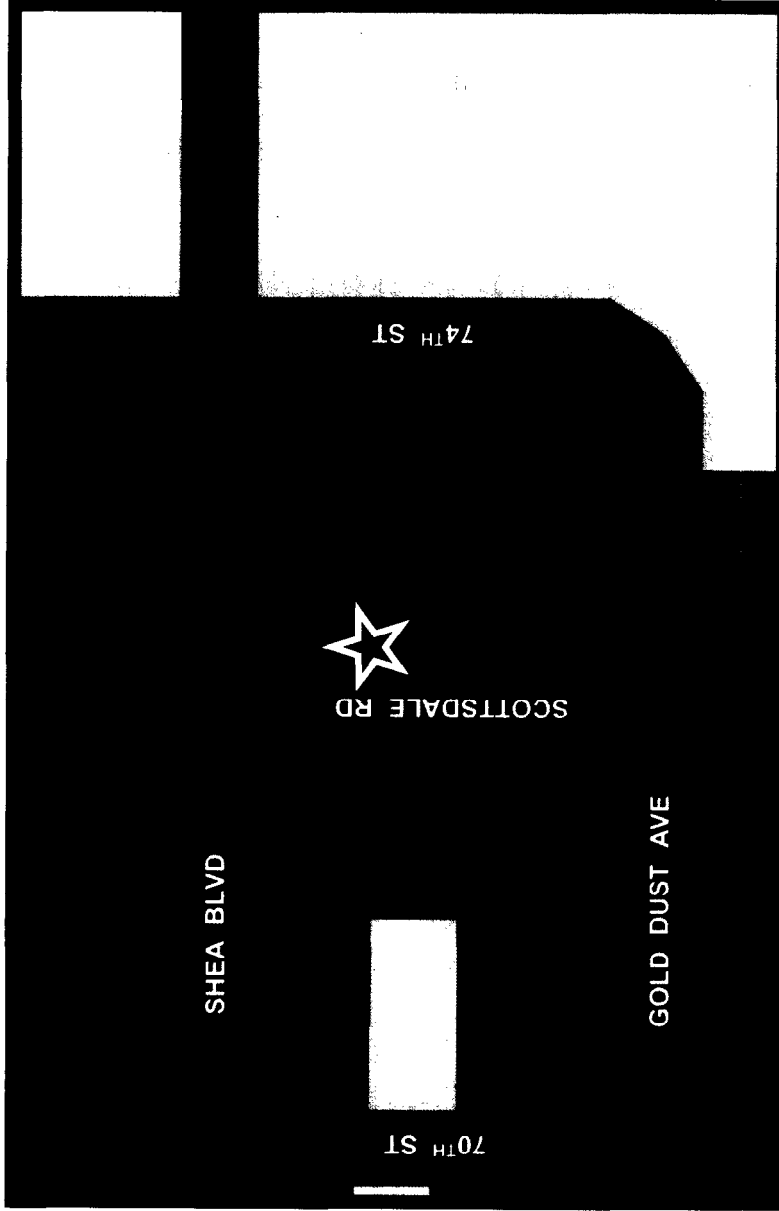
G.I.S. ORTHOPHOTO 2003

4-UP-2004#2

Dirty Dogg Saloon

ATTACHMENT #2A

General Plan



- | | |
|-------------------------------------------------------------|--------------------------------------|
| Rural Neighborhoods | Commercial |
| Suburban Neighborhoods | Office |
| Urban Neighborhoods | Employment |
| Mixed-Use Neighborhoods | Natural Open Space |
| Resorts/Tourism | Developed Open Space (Parks) |
| Shea Corridor | Developed Open Space (Golf Courses) |
| Mayo Support District | Cultural/Institutional or Public Use |
| Regional Use District | |
| McDowell Sonoran Preserve (as of 8/2003) | |
| Recommended Study Boundary of the McDowell Sonoran Preserve | |
| City Boundary | |
| | |
| | |



4-UP-2004#2
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of May 2004
revised to reflect General Plan amendments through June 2004

Renew the 2004 approved conditional use permit and modify the existing stipulations for a Bar in an existing building with Highway Commercial District (C-3) zoning

P-2

E SHEA BL

C-3

N SCOTTSDALE RD

SITE

P-2

E COCHISE RD

C-3

4-UP-2004#2

ATTACHMENT #4



STIPULATIONS FOR CASE 4-UP-2004#2

PLANNING/ DEVELOPMENT

1. **USE PERMIT.** This use permit is subject to the following stipulations that carry forward from the initial case approval of 4-UP-2004.
2. **OPERATIONS.** All operations on site shall comply with the following:
 - a. No live entertainment is approved with this use permit. Any live entertainment proposed at the establishment shall apply for a Live Entertainment use permit.
 - b. Noise/Sound.
 - (1) Unless otherwise approved by the City in association with a Special Event or other type of application, the following noise/sound conditions shall apply.
 - (2) Amplified music shall not be heard or have measurable noise emitted past the property line.
 - (3) No external speakers shall be permitted.
 - (4) All external doors shall remain closed, but not locked during operating hours.
 - (5) There shall be no amplified music during the times that state law does not allow liquor sales at this bar.
 - c. Maintenance and Security Plan.
 - (1) The bar operator(s) / merchant(s) shall maintain a Public Security and Maintenance Plan approved by the Scottsdale Police Department on record with the City of Scottsdale and shall keep a copy on site.
 - (2) Each year, prior to the anniversary of this use permit approval, the bar owner shall provide an update of the Maintenance and Security Plan to the Police Department and the Planning and Development Services Department. Such update shall state that the Plan continues in effect as originally approved, or the update shall conform to #3 below.
 - (3) At any time that there are any changes that modify the requirements or contents of the Public Security and Maintenance Plan, those changes shall be documented in a revised Public Security and Maintenance Plan which shall be approved by the Police Department, in conjunction with a Staff Approval by the Planning and Development Services Department.
 - d. Refuse and Litter Control.
 - (1) The bar operator(s) / merchant(s) shall maintain a refuse and litter control plan approved by the City of Scottsdale's Planning and Development Services Department and applicable departments on record with City of Scottsdale and keep a copy on site.
 - (2) All operations of the bar shall conform to the refuse control plan contained within in the project narrative submitted by Fire House Management, L.L. C. and staff receipt dated 4/5/2005.
 - (3) The bar operator(s) / merchant(s) shall assure that litter and debris is removed property and properly disposed of daily.

**Fire House Management,
LLC.
D.b.a.
Dirty Dogg Saloon**

10409 N. SCOTTSDALE RD.
SCOTTSDALE, AZ
85253

April 1, 2005

Dear Neighbor,

Fire House Management has owned and operated the Dirty Dogg Saloon located at 10409 N. Scottsdale Rd. as of May 21, 2004 under the Use Permit 4-UP-2004. At this time, our Use Permit is up for renewal with the City of Scottsdale.

Project Information:

Extension of Current Use Permit #4-UP-2004

10409 N. Scottsdale Rd. Scottsdale, AZ 85253

Size: 2600 square feet zoning: C-3

Scheduled Open House: 4/11/2005 8:00am

If you have any questions or comments about this project please contact Jack Estes with Fire House Management at 480-227-3486 or Kira Wauwie with the City of Scottsdale at 480-312-7061.

Or you may go to www.scottsdaleaz.gov/projects/ProjectsInProcess

Please refer to case #183-PA-2005.

Sincerely,

Jack Estes
Managing Operator Dirty Dogg Saloon
Fire House Management, LLC.

480-227-3486

ATTACHMENT #6

4-UP-2004#2
4-5-05

Affidavit of Certificate of Mailings

Case Number: 183-PA-2005
Project Name: Dirty Dogg Saloon
Location: 10409 N. Scottsdale Rd.
Mailing Date: 4/4/2005
Applicant Name: Fire House Management L.L.C.

Applicant Contact: Jack Estes
Number: 480-227-3486

I confirm that the attached addresses were mailed a copy of the letter
(attachment F) as per City Staff instructions.

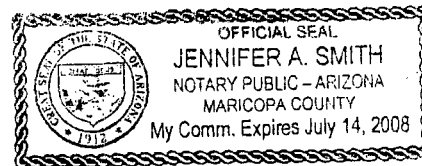
Jack Estes
Applicant Signature

4/4/05
Date

Acknowledged before me this the 4th day of April, 2005
2005.

Jennifer A. Smith
Notary Public

My commission expires: July 14, 2008



MAG'S HAM BUN, INC.
12494 180th Street
Milaca, MN 56353

Firehouse Management, L.L.C.
DBA Dirty Dogg Saloon
10409 N. Scottsdale Rd.
Scottsdale, AZ 85253

March 18, 2005

To Whom It May Concern:

As the landlord of the above property I would like to extend my support to Firehouse Management, L.L.C. regarding their application for a permanent use permit in the City of Scottsdale. I have been completely satisfied with the management of their operation since they opened for business May 21, 2004 and wish them continued success.



Peter D. Cronk, Sr.
Secretary-Treasurer
Mag's Ham Bun, Inc.

PARADISE VALLEY PLAZA OWNERS ASSOCIATION
10405 N. Scottsdale Road
Scottsdale, AZ 85253

April 4, 2005

To: City of Scottsdale

From: James Marrion

Re: Dirty Dogg Saloon Use Permit

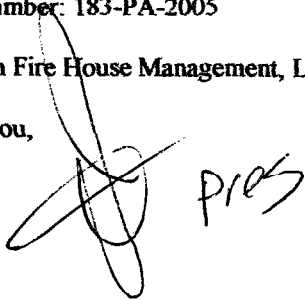
The Paradise Valley Plaza Owners Association gives its consent to the continued operation of the Dirty Dogg Saloon.

Use Permit: 4-UP-2004

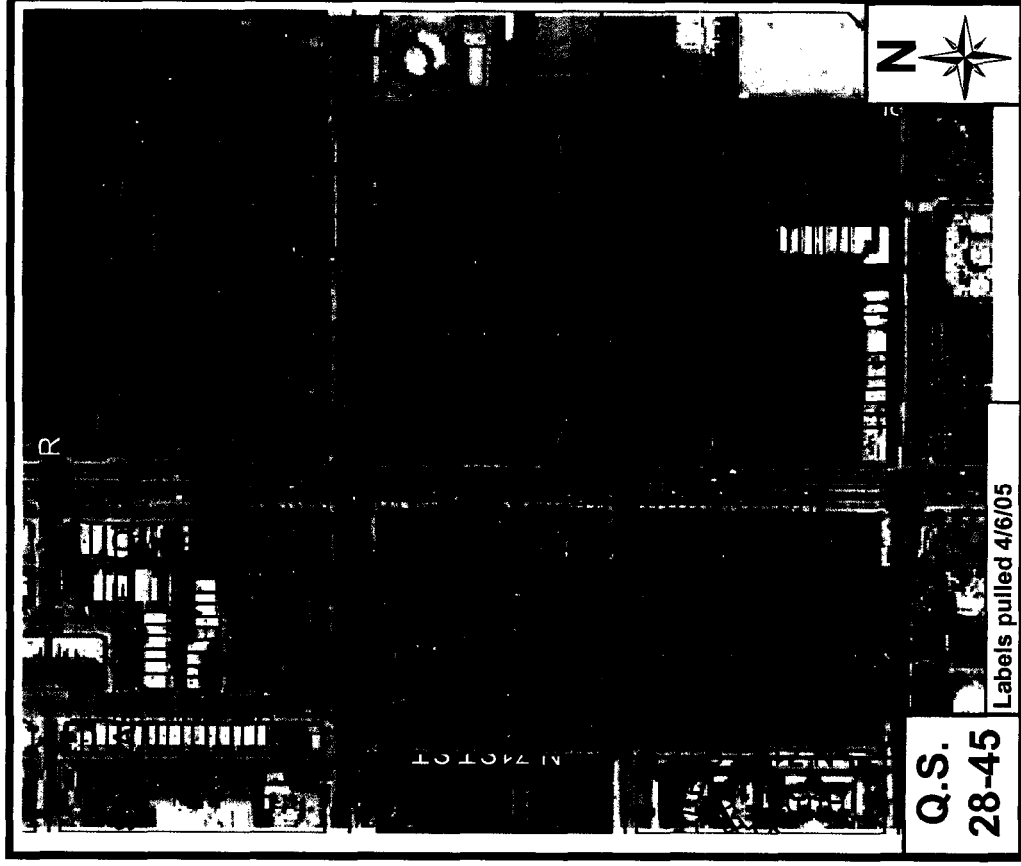
Case Number: 183-PA-2005

We wish Fire House Management, L.L.C. continued future success.

Thank you,

A handwritten signature in black ink, appearing to be "JM", with a large, stylized flourish extending from the bottom left.

City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 750-feet

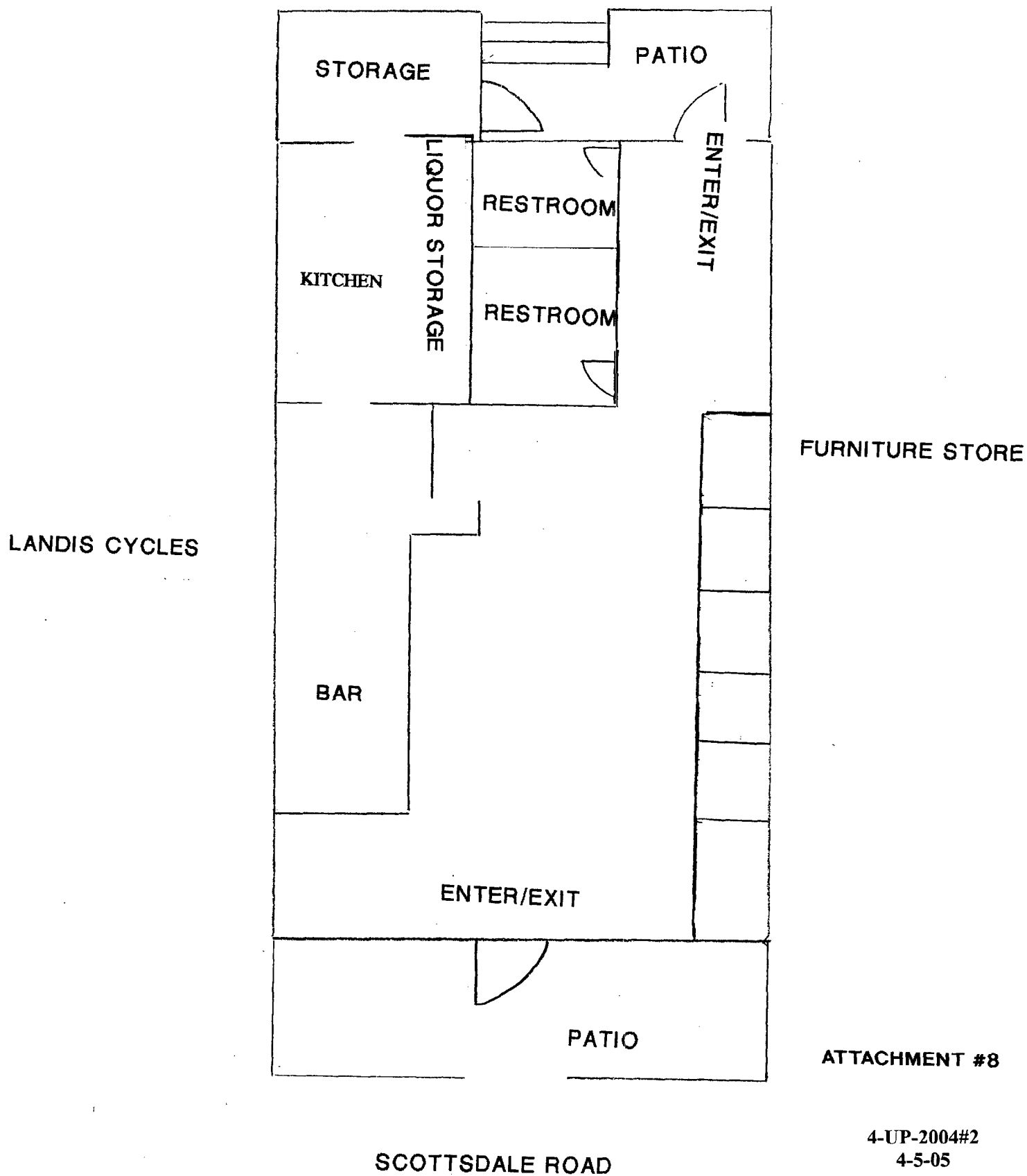
Additional Notifications:

- Interested Parties
- Monterey at Mountain View HOA
- Monterey at Mountain View II HOA

Dirty Dogg Saloon

4-UP-2004#2

ATTACHMENT #7



**SCOTTSDALE POLICE DEPARTMENT
LIQUOR LICENSE APPLICATION CONTROL SHEET**

Application Type: SECURITY PLAN

Series 06 Bar (All spirituous liquor)

Date Received: 04/12/05

Council Date:

Date Due: ASAP

Event Date:

1) Other

Control Number: 401332

Establishment/Special Event: Dirty Dogg Saloon

2) Det. Mike Fritz

Recommendation: Approval

Comments: This is a renewal of the security plan that was approved last year. There are no current civil or criminal actions pending against the applicant. Information in details section.

Signature: M. Fritz

Date: 4/12/05

3) Cmdr. Mike Rosenberger, District 2

Recommendation: Approval

Comments:

Signature: Michael Rosenberger

Date: 4/13/05

4) Deputy Chief John Cocca, USB

Recommendation: Approval

Comments:

Signature: J. cocca #374

Date: 4/13/05

R19-1-102. Granting a License for a Certain Location

Local governing authorities and the Department may consider the following criteria in determining whether public convenience requires and that the best interest of the community will be substantially served by the issuance or transfer of a liquor license at a particular unlicensed location:

1. Petitions and testimony from persons in favor of or opposed to the issuance of a license who reside in, own or lease property in close proximity.
2. The number and series of licenses in close proximity.
3. Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies.
4. The residential and commercial population of the community and its likelihood of increasing, decreasing or remaining static.
5. Residential and commercial population density in close proximity.
6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers.
7. Effect on vehicular traffic in close proximity.
8. The compatibility of the proposed business with other activity in close proximity.
9. The effect or impact of the proposed premises on businesses or the residential neighborhood whose activities might be affected by granting the license.
10. The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report(s) of such activity at least 20 days before the hearing by the Board.
11. Comparison of the hours of operation of the proposed premises to the existing businesses in close proximity.

REVIEW SHEET

Application type: **Security Plan**
Name of Business: **Dirty Dogg Saloon**
Applicant Name: **Richard Woerth**
Address: **10409 N. Scottsdale Road**
License Number: **06070140**

DETAILS

This is an application for renewal of the security plan for the Dirty Dogg. As part of the new liquor license process with the city. It is now required that all series 6 applicants apply for a Conditional Use Permit & submit a Security Plan. This plan will be renewed yearly. The applicant understands all aspects of the plan & will comply with the requirements. There has been no changes in the plan that was approved last year. No problems have been reported reference the security plan since it started. The applicant has submitted the paperwork for this security plan. A copy of the plan was received by Development Services, Kira Wauwie. There is no derogatory information at this time that would prohibit the renewal of this security plan. A police calls for service was conducted for this location. Between 1-1-04 & 3-31-05 there were four calls. 2- Burglar Alarm, 1-Family Fight, 1-Assist Another Agency.

CONCERNS

None at this time.

Recommendation: **APPROVAL**

Reviewed By: **Det. Mike Fritz**

Date rec'd by Project Review: _____
Mtg date on-site by PD: _____



PUBLIC SAFETY PLAN

SCOTTSDALE POLICE DEPARTMENT APPROVAL

PREPARATION (to be completed by applicant & returned to Project Coordination Manager)
Submit two (2) copies of this form and the following items with the other Live Entertainment Use Permit requirements identified on the "Shopping List". Please call 994-7080 if you have any questions.

1. **Site Plan which shall include the following information -- update the plan when changes occur:**
 - a. A vicinity map identifying the location of the site within the City of Scottsdale
 - b. The surrounding street system
 - c. The existing and proposed land uses within 500 feet of the site
 - d. The location of all buildings and parking areas on the site
 - e. Identification of all access to and from the site
 - f. Identification of all fire lanes and emergency access locations
 - g. Identification of all locations and procedures for valet parking
 - h. Identification and locations of the signs stating the business name and address in accordance with the City's sign ordinance
 - i. Identification of exterior lighting
 - j. Identification of all building entrances and exits
2. **Emergency Card (provided attached) which shall include the following information:**
 - a. Names of two persons with authority to make decisions on behalf of the business who can be contacted after normal business hours
 - b. Addresses of these two persons
 - c. Phone numbers of these two persons

Applicant Information

Name: FIRE HOUSE MANAGEMENT, L.L.C.
Business Name: DIRTY DOGG SALOON
Address: 10409 N. SCOTTSDALE RD. SCOTTSDALE Phone: 480-237-3486

Staff Use

APPROVE

DENY

_____ Signature	_____ Title	_____ Date	_____ Signature	_____ Title	_____ Date
--------------------	----------------	---------------	--------------------	----------------	---------------

Attachment A
DIRTY DOGG SALOON
PROJECT NARRATIVE

Location and History:

**10409 N. Scottsdale Rd.
Scottsdale, AZ 85253**

This location has been a bar/restaurant since originally built in 1967 as Mag's Ham Bun. The Cronk family has owned and does still own the property under Mag's Ham Bun, Inc. The Cronks operated Mag's Ham Bun with a Series #6 liquor license from 1985 until they leased the property to Sam Bruce, L.L.C, in 2002. Sam Bruce, L.L.C, changed the license from a Series #6 to a Series #12 and operated as such until June 2003. Fire House Management, L.L.C, has been operating the current use as the Dirty Dogg Saloon as of May 21, 2004 under Use Permit #4-up-2004. The current applicant is asking for an extension of the current use permit with no additional stipulations to continue operations. There are no plans to modify the current building. Since the location has operated as bar for over 30 years there should be no significant impacts on the area parking or otherwise. The total gross square footage is 2600 square feet of which 2220 square feet is available for retail use. The building is not being altered in any way. The location will operate as a bar/restaurant with hours of operation Monday – Sunday from 11:00am to 2:00am.

Entertainment

The entertainment provided will be classic rock music usually provided by a preprogrammed CD player/computer. From time to time the applicant will wish to utilize special events and or temporary extension of premises permits. The applicant understands that for extensions or outdoor special events separate and special event applications must be submitted and approved by the City of Scottsdale.

Music amplification is provided by 6 Mach M-821 speakers, and 3 QSC PLX amplifiers. There are also 7 televisions for patron viewing.

Security

Door staff personal will be on duty nightly from 9:00pm to closing. Security will be identified by uniforms designating them as members of the Staff. All members of staff are required to under go Liquor control training with Arizona Liquor Industry Consultants before being allowed to work. This training educates staff and members of management on the liquor laws of the State of Arizona and will enable them to make better-informed decisions when serving patrons alcohol. The amount of Security will be decided on an as needed basis as volume dictates. Staff will require Identification verifying age to be over 21 years of age before allowing access to establishment. Staff will be required to monitor parking area during business hours and one hour after closing.

Management

Members of Management have completed Liquor Certification courses given by Arizona Liquor Industry Consultants and are registered with the Arizona Department of Liquor License and Control. Members of Management have been involved with Management of Liquor licensed establishments in the past and are in good standing with the Arizona Department of Liquor.

Refuse

Staff will be required to police the parking lot and adjacent areas to the establishment before, during, and after closing, to pick up trash and debris left in the area by patrons. Management will work with neighbors to ensure that the establishment is not causing any undo burden to their businesses. The facility is equipped with its own dumpster for trash removal. The current trash pickup schedule is 3 times per week in the A.M. If this becomes insufficient Management will request that additional pickup times be made. The dumpster is located within 40 feet of the establishment. The parking lot is maintained by the Paradise Valley Property Owners Association and is swept on a weekly basis.

Please see the following attachments for refuse disposal location:

- Attachment C Site Plan 1
- East View 12
- Refuse Containment 16

Parking

Please see attached parking analysis Attachment C completed in July 2002. Applicants allotted parking is 35 spaces, which is what is required for the available retail square footage.

Since the opening of this establishment in 2004 two other restaurant bars have closed, this should have a minimal impact on the parking in the area.

At peak times there will be up to 9 staff members that will require parking and up to approximately 120 patrons.

Please see additional attachments for parking:

- Attachment C Site Plan 1
- East Elevation 1
- Rear South East View 10
- East View 11
- East View 12
- Rear North View 1

Lighting

There are no plans of changing the current lighting that exists. The establishment currently has eight exterior lights on the West Side of the building facing Scottsdale Rd. and seven exterior lights on the East Side facing the parking lot. The parking lot provides additional lighting and is maintained by the Paradise Valley Property Owners Association.

Please see the following Attachments:

Signage 2 East Elevation

Signage 3 South West Elevation

Signage

The current signage on the building will be utilized.

Please see the following Attachments:

Signage Attachments 1-5

Traffic related information

There are no proposed changes for current traffic ingress or egress into the parking lot.

Please see attached for projected Trip Generation Comparison Attachment D.

Noise Impact

There is no residential within 1000 ft. of the premises so there should be no adverse noise effect on the neighboring area. The doors of the establishment will remain in a closed position except when allowing patrons to enter and exit. The west side of establishment faces Scottsdale Road. The establishment should not negatively effect the high volume of traffic created by Scottsdale and Shea Blvd. There should be no significant noise impact from the establishment.

Neighborhood Involvement

A letter has been sent to property owners within a minimum of 300 feet of the applicant location, as is required by staff.

Please see the following Attachments:

Attachment F

Attachment G

Attachments H 1-4

EMERGENCY CONTACTS:

Jack Estes

15600 N. FLW Blvd. #1164

Scottsdale, AZ 85260

480-227-3486

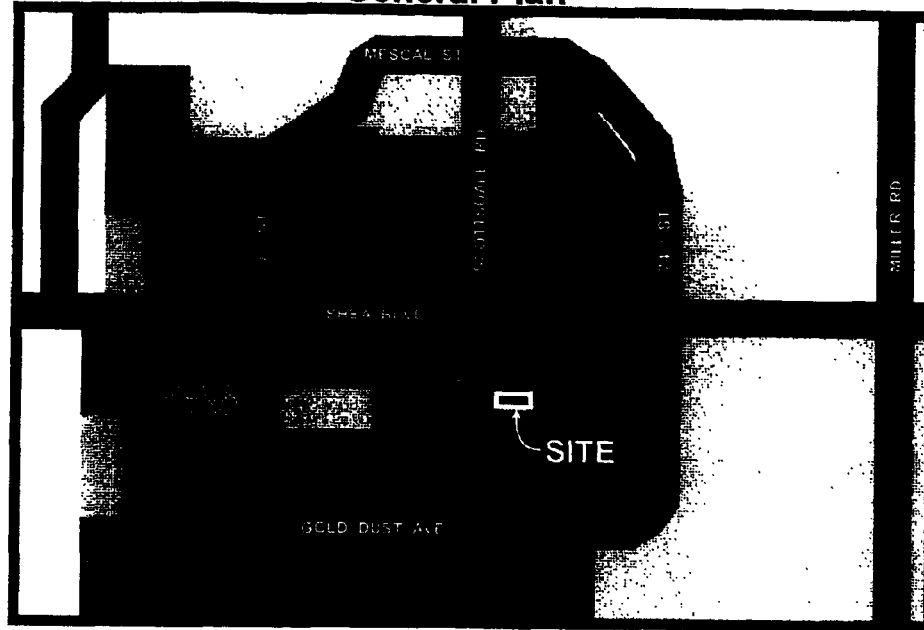
Stacy Frieberg

1608 W. Curry Dr.

Chandler, AZ 85224

602-820-6547

General Plan

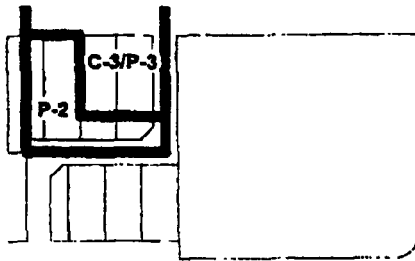


- | | |
|-------------------------------------------------------------|------------------------------------------------------------------------|
| Rural Neighborhoods | Commercial Office |
| Suburban Neighborhoods | Employment |
| Urban Neighborhoods | Natural Open Space |
| Mixed-Use Neighborhoods | Developed Open Space (Parks) |
| Resorts/Tourism | Developed Open Space (Golf Courses) |
| Shea Corridor | Cultural/Institutional or Public Use |
| Mayo Support District | State Trust Lands under State Land Commissioner's Order #078-2001/2002 |
| Regional Use District | McDowell Sonoran Preserve (as of 4/2002) |
| Recommended Study Boundary of the McDowell Sonoran Preserve | Location not yet determined |
| City Boundary | |

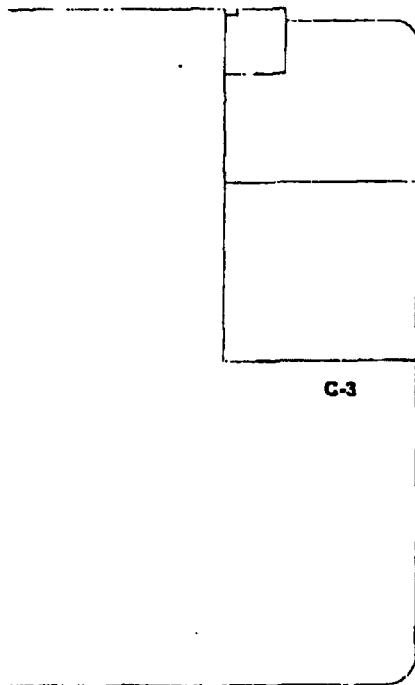


4-UP-2004
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of April 2, 2002



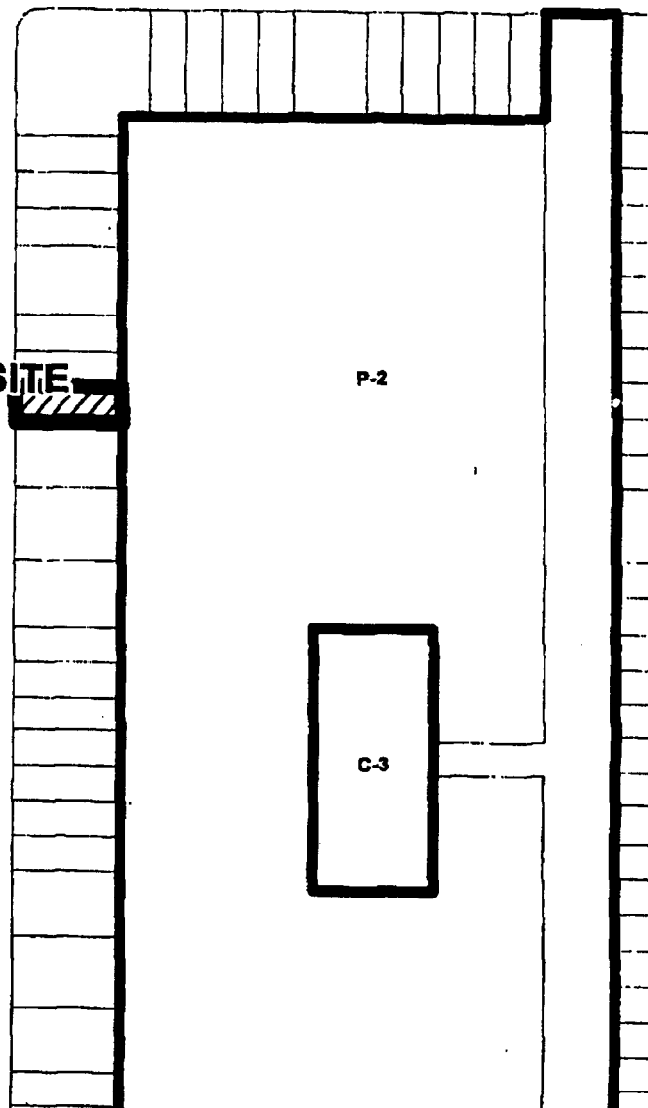
E SHEA BL



C-3

N SCOTTSDALE RD

SITE



P-2

C-3

E COCHISE RD

4-UP-2004

ATTACHMENT #4



66 65
68 67 64

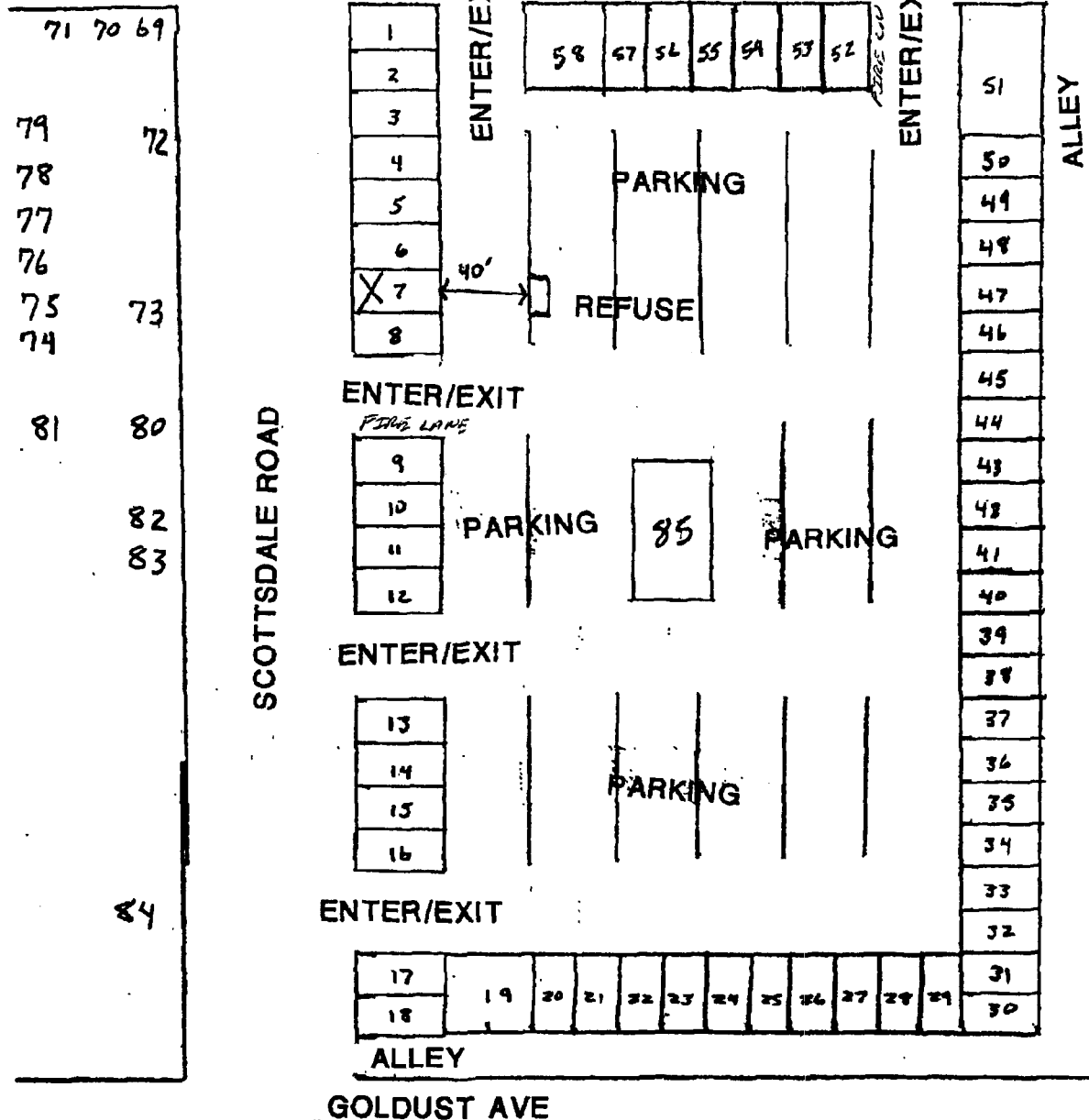
62
61
60 63

59

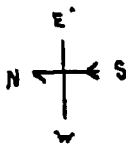
ATTACHMENT C

SHEA BLVD

SITE PLAN 1



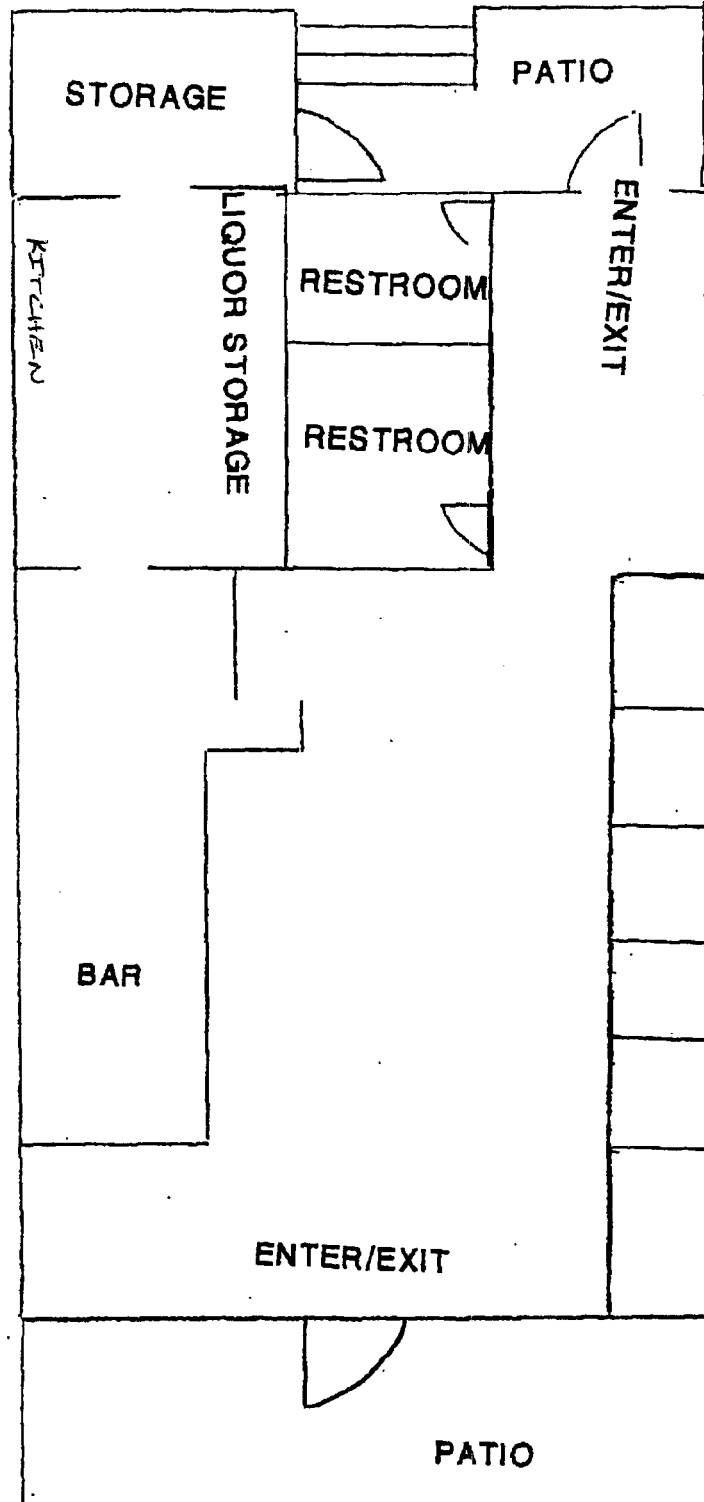
- | | | | | |
|----------------------|-------------|----------------------|----------------|------------|
| 1. Retail | 21. Office | 41. Office | 61. Restaurant | 81. Office |
| 2. Retail | 22. Bar | 42. Restaurant / Bar | 62. Retail | 82. Retail |
| 3. Restaurant | 23. Retail | 43. Office | 63. Restaurant | 83. Retail |
| 4. Salon | 24. Retail | 44. Salon | 64. Retail | 84. Retail |
| 5. Restaurant | 25. Office | 45. Retail | 65. Retail | 85. Bar |
| 6. Retail | 26. Medical | 46. Office | 66. Retail | |
| * 7. Bar / APPURTANT | 27. Retail | 47. Office | 67. Restaurant | |
| 8. Retail | 28. Retail | 48. Retail | 68. Retail | |
| 9. Medical | 29. Office | 49. Retail | 69. Retail | |
| 10. Office | 30. Office | 50. Retail | 70. Salon | |
| 11. Restaurant | 31. Salon | 51. Restaurant / Bar | 71. Bank | |
| 12. Retail | 32. Retail | 52. Retail | 72. Bank | |
| 13. Restaurant | 33. Medical | 53. Retail | 73. Restaurant | |
| 14. Retail | 34. Medical | 54. Medical | 74. Retail | |
| 15. Retail | 35. Retail | 55. Restaurant | 75. Retail | |
| 16. Retail | 36. Retail | 56. Office | 76. Retail | |
| 17. Restaurant | 37. Salon | 57. Medical | 77. Restaurant | |
| 18. Bar | 38. Retail | 58. Restaurant | 78. Retail | |
| 19. Office | 39. Office | 59. Retail | 79. Retail | |
| 20. Office | 40. Medical | 60. Retail | 80. Retail | |



PARKING LOT

SITE PLAN 2

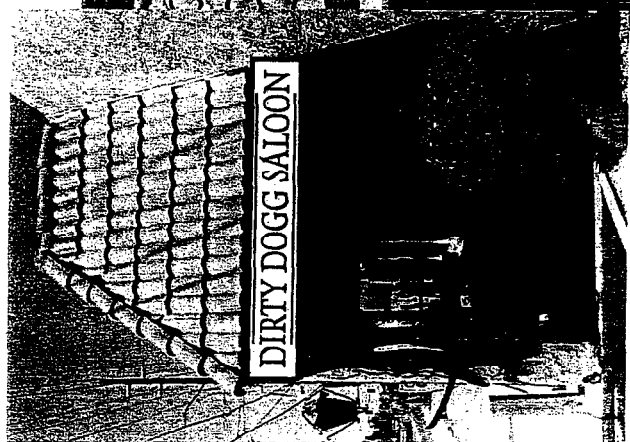
LANDIS CYCLES



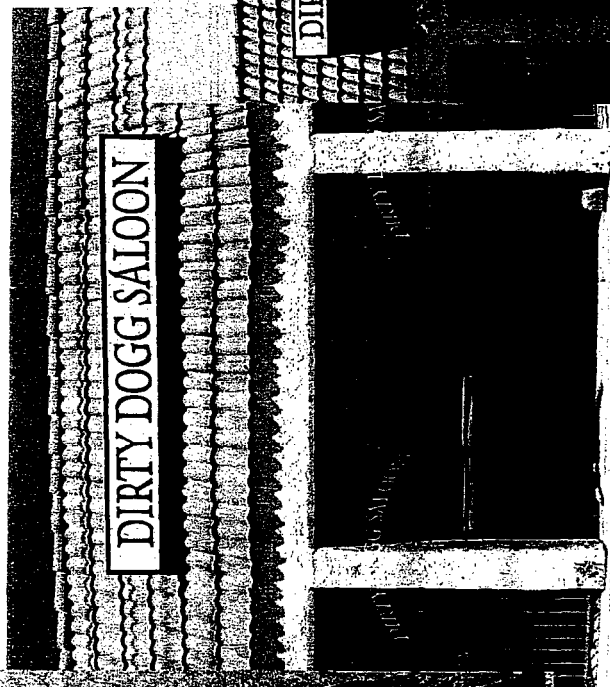
FURNITURE STORE

SCOTTSDALE ROAD

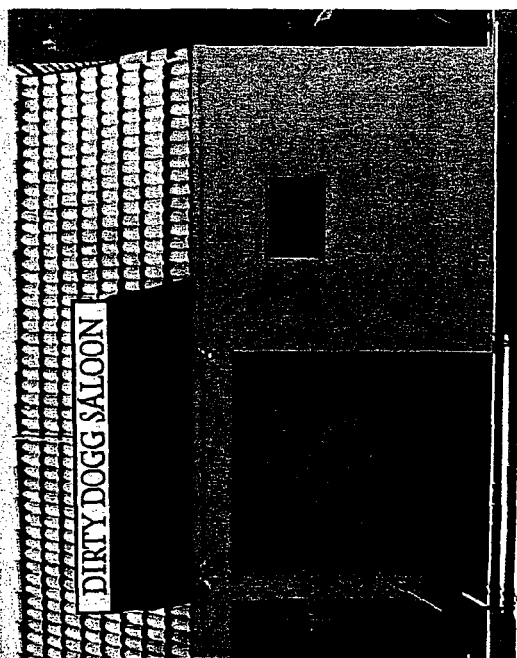
4-UP-2004
2-25-04



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION

REFACE (THREE) EXIST'G S/F SIGNS (SOUTH ELEV: 15 3/4" X 8' - 0", WEST & EAST ELEV: 17 5/8" X 12' - 0"). NEW FACES TO BE WHITE LEXAN WITH FIRST SURFACE APPLIED BLACK VINYL. REPAINT CABINET'S BLACK. CUT (TWO) SETS OPAQUE SATIN ALUMINUM WINDOW VINYL AND APPLY TO OUTSIDE OF 4' X 8' WINDOWS ON WEST ELEVATION. CUT & APPLY (ONE) SET ARCHED COPY IN DUSTED CRYSTAL VINYL TO INSIDE MIRROR (3' - 6" X 8' - 0").

CLIENT DIRTY DOGG SALOON

ADDRESS _____

"

SALESPERSON DINA MURPHY

SCALE NTS

DESIGNER S.J. Kuipers

DATE _____

DRAWING NUMBER _____

DIRTY DOGG SALOON

MINUTES APPROVAL

April 13, 2005

Commissioner Heitel requested expansion on the discussion relating to police power on page 8 of the minutes; explaining that the discussion adds rational reason as to the outcome of some of the motions.

The Board agreed to continue approval of the April 13, 2005 minutes to the next meeting.

April 27, 2005

COMMISSIONER HESS MOVED TO APPROVE THE MINUTES OF THE APRIL 27TH, 2005 MEETING. SECONDED BY COMMISSIONER SCHWARTZ. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

CONTINUANCES

4-TA-2004 (Parking Program Text Amendment): request by City of Scottsdale, applicant, for a Text Amendment to the City of Scottsdale Zoning Ordinance (Ordinance 455), to amend Article I. Administration and Procedures; Article III. Definitions; Article V. District Regulations; Article VI. Supplementary Districts; Article VII. General Provisions; Article IX. Parking and Loading Requirements and Article X. Landscaping requirements.

28-UP-2004 (Next Bar & Nightclub): request by owner for a conditional use permit for a bar on a 5137 +/- square feet existing building located at 7111 E. 5th Avenue with Central Business District Downtown Overlay (C-2 DO) zoning.

COMMISSIONER HEITEL MOVED TO CONTINUE 4-TA-2004 TO A DATE TO BE DETERMINED AND 28-UP-2004 TO THE MAY 25, 2005 PLANNING COMMISSION MEETING. SECONDED BY COMMISSIONER SCHWARTZ. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

4-UP-2004#2 (Dirty Dog Saloon) request by owner to renew the 2004 approved conditional use permit and modify the existing stipulations for a Bar in an existing building located at 10409 N Scottsdale Road with Highway Commercial District (C-3) Zoning.

Vice Chairman Steinberg inquired of staff as to the pros and cons to making this operation continual as opposed to requiring that the Applicant report annually. Mr. Jones indicated that knowledge was lacking with regard to the impacts of restricted uses and

condition requirements placed on bar use permits. The annual requirement was established for obtaining updates on the impacts; if any. Mr. Jones also explained that use permits are revocable and removing the stipulation does not make a use permit less restrictive.

**COMMISSIONER SCHWARTZ MOVED TO APPROVE CASE 4-UP-2004#2.
THE MOTION WAS SECONDED BY COMMISSIONER STEINKE AND
PASSED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).**

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 5:12 p.m.

Respectfully submitted,
Davette Repola
A-V Tronics, Inc.

APPROVED